

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No.
~~K. 4000~~

540 of 1992.

DATE OF DECISION 15.6.92

M. Abdul Hameed Applicant (s)

Mr.M.R.Rajendran Nair Advocate for the Applicant (s)

Versus

State of Kerala represented Respondent (s)
by ~~xxxx~~ Secretary to Govt.
of Kerala, /Trivandrum and others /Home Deptt.

Mr. D.Sreekumar, Govt.Pleader Advocate for the Respondent (s)
for Respondents 1&3

CORAM :

None present for R.2.

The Hon'ble Mr. **S.P.Mukerji**, Vice Chairman

The Hon'ble Mr. **A.V.Haridasan**, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

(Hon'ble **Shri S.P.Mukerji**, Vice Chairman)

Heard the learned counsel for both the parties on this application in which the applicant who is an IPS officer promoted from the Kerala Police Service has in substance claimed that his previous service as Assistant Commandant should be taken into account for the purposes of earlier promotion to the IPS.

2. When the case was taken up today, the learned counsel for the applicant submitted that the applicant will be satisfied if this application is disposed of with the direction to the Government of Kerala (Respondent No.1) to dispose of his representation dated 23.11.87 (Annexure-XIII) and the reminder dated 4.12.91 (Annexure.XV) after taking into account the decision of the State of Kerala in case

of Shri M.T.Philip at Annexure-XI and the judgment of the Hon'ble High Court of Kerala at Annexure XIV. The learned counsel for the respondents 1&3 has no objection to the disposal of the application on the above lines.

3. In the circumstances, we admit this application and dispose of the same with the direction to respondent No.1 to dispose of the representation of the applicant at Annexure.XIII read with Annexure XV taking into account the judgment of the Hon'ble High Court at AnnexureXIV and the decision of the State of Kerala in the case of Shri Philip at Annexure-XI. The representation should be disposed of on the above lines within a period of three months from the date of communication of this judgment. There will be no order as to costs.


(AV Haridasan)
Judicial Member


(S.P. Mukerji)
Vice Chairman

15.6.92

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